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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,973	02/29/2000	Jaakko Rautiainen	602.314USW1	1751

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER

2683

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/516,973

Applicant(s)

RAUTIAINEN, JAAKKO

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment (B)

1. This action is in response to the communication filed on 8/28/03.
2. Claims 6 and 7 have been canceled.
3. Claims 7-10 are newly added claims.
4. Claims 1-5 and 8-10 are pending in this action.
5. This action is final.
6. Note: there are some confusing assertions surrounding claims 6 and 7. In the REMARKS section, applicant explicitly shows the cancellation of claims 6 and 7 (see REMARK, page 4, lines 1-4). On the other hand, claims 6 and 7 are presented as amended claims in the MARKED UP amendments' section (see page 10, claims 6 and 7). For examination purposes, examiner considered only the claims listed in the clean copy (1-5 and 8-10) on pages 2-3 of the amendment, in the Office Action Response, section.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (APA) in view of Bissell et al. (Bissell), (US Patent 6,574,730 B1).

As per claim 1: a procedure for setting up a call in a wireless local loop based on mobile communication technology and in which subscriber terminal units are connected via a radio link to an access node and from the access node to a wired network local exchange and in which checking functions are carried out reads on 'APA (see page 1, line 6-page 2, line 31, particularly page 1, line 23-page 2, line 24; page). Furthermore, the APA discloses the current claims are consistent to the various communication standards for terminal authentication. In other words, the preexisting and defined authentication standards have been used (see page 3, line 19-page 4, line 7). The difference between the APA and the claims, particularly claim, is that in the claims, checking authentication functions are carried out to accelerate call setup and wherein the checking of functions is carried out after voice mode has been set, as claimed by applicant. Stated differently, the acceleration of the call setup is a function of the checking procedure. However, in a related field of endeavor, Bissell teaches that authentication can be carried out after a dial tone (see col. 8, lines 3-35, particularly, lines 20-21).

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the wireless local loop system admitted by applicant (APA) with the teaching of Bissell for the advantage of allowing early

identification of a calling apparatus by a network/service provider, as taught by Bissell.

As per claim 2: the procedure, wherein said checking functions comprise:

changing a subscriber identity code reads on APA (see page 2, lines 7-10).

verification of authenticity of a subscriber reads on APA (see page 2, lines 10-13).

verification of a subscriber's equipment identity code reads on APA (see page 2, lines 13-18).

As per claim 3: the procedure, wherein changing the subscriber identity code is via an allocation of a temporary subscriber identity reads on APA (see page 2, lines 7-10).

As per claim 4: the procedure wherein verification of subscriber authenticity is via an authentication request reads on APA (page 2, lines 10-13).

As per claim 5: the procedure, wherein verification of the subscriber's equipment identity code is via a check of a subscriber's international mobile station identity code reads on APA (see page 2, lines 13-18).

As per claim 8: the procedure wherein said checking functions comprise:

changing a subscriber identity code reads on APA(see page 2, lines 7-10).

verification of a subscriber's equipment identity code reads on APA (see page 2, lines 13-18).

As per claim 9: the procedure wherein the subscriber identity code is via an allocation of a temporary subscriber identity code reads on APA (see page 2, lines 7-10).

As per claim 10: the procedure wherein verification of the subscriber's equipment identity code is via a check of a subscriber's international mobile station equipment identity code reads on APA (see page 13-18).

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection. Note: previously the call setup procedure was carried out during voice mode connection. In the instant amended claims, particularly claim 1, the call setup procedure is carried out after voice mode has been set. The two modes of call setup procedures are markedly different. Furthermore, the reference (US 6,314,292 B1) was withdrawn from the rejection, particularly as it relates to accelerated call setup to avoid redundancy since Bissell teaches that the reason to authenticate a subscriber after voice mode (i.e. after the dial tone) is for the purpose of early identification, which means fast or accelerated call setup.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2683

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Meless Zewdu

M. Z.

Examiner

19 December 2003.



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600